

717

Notice of Allowability

Application No.

10/771,464

Examiner

Laura E. Martin

Applicant(s)

OZAWA ET AL.

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to arguments filed 12/12/07.
2. ☒ The allowed claim(s) is/are 1-5, 7 and 9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/21/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Manish S. Shah
MANISH S. SHAH
PRIMARY EXAMINER

DETAILED ACTION

Information Disclosure Statement

Acknowledgement is made of the information disclosure statement (IDS) submitted on 21 November 2007. The submission is in compliance with the provisions of 37 CFR 1.97.

Priority

Acknowledgement is made of the certified translation of foreign priority documents dated 12 December 2007.

Election/Restrictions

This application is in condition for allowance except for the presence of claims 6, 8, and 10 directed to an aqueous medium comprising at least one water-miscible organic solvent; and at least one dye dissolved and/or dispersed in the aqueous medium, wherein the dye is a compound represented by formula (1) having a λ_{max} at a wavelength range of from 390 nm to 470 nm, A-N=N-B in which A and B each independently represents a heterocyclic group which may be substituted; and said at least one water-miscible organic solvent satisfies one of the following requirements 1) and 2): 1) said at least one dye has a solubility in all of said at least one water-miscible organic solvent has a solubility of less than 10 (g/100g) in the dye at 25°C; 2) said at least one dye has a solubility in at least one of said at least one water-miscible organic solvent has a solubility of not smaller than 10 (g/100 g) in the dye at 25°C, with the

proviso that the sum of the weight of the water-miscible organic solvent having a solubility of not smaller than 10 (g/100 g) in the dye at 25°C is not greater than 10% of the weight of the ink non-elected without traverse. Accordingly, claims 6, 8, and 10 been cancelled.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 6, 8, and 10 are cancelled.

Allowable Subject Matter

Claims 1-5, 7, and 9 are allowed.

The following is an examiner's statement of reasons for allowance: prior art does not teach or suggest An inkjet recording ink comprising: an aqueous medium comprising at least one water-miscible organic solvent; and at least one dye dissolved and/or dispersed in the aqueous medium, wherein said at least one dye has a maximum absorption spectrum λ_{\max} at a wavelength range of from 390 nm to 470 nm and a $I(\lambda_{\max} + 70 \text{ nm})/I(\lambda_{\max})$ ratio of not greater than 0.4, in which $I(\lambda_{\max})$ is the absorbance at λ_{\max} and $I(\lambda_{\max} + 70 \text{ nm})$ is the absorbance at $\lambda_{\max} + 70 \text{ nm}$, wherein

the inkjet recording ink exhibits an accelerated fading rate constant of not greater than $5.0 \times 10^{-2} \text{ [hour}^{-1}\text{]}$, in which the accelerated fading rate constant is determined by printing the ink on a reflection medium to prepare a printed matter, measuring a reflection density through a status A filter to define an initial value of reflection density (DB) in the yellow region by one point between 0.90 and 1.10, and acceleratedly fading the printed matter by using an ozone fading tester capable of always generating 5 ppm of ozone, so as to define the fading rate constant from the time required until the reflection density reaches 80% of the initial value; and said at least one water-miscible organic solvent satisfies one of the following requirements 1) and 2): 1) said at least one dye has a solubility in all of said at least one water-miscible organic solvent of less than 10 (g/100g) at 25°C; 2) said at least one dye has a solubility in at least one of said at least one water-miscible organic solvent has a solubility of not smaller than 10 (g/100 g) at 25°C, with the proviso that the sum of the weight of the water-miscible organic solvent is not greater than 10% of the weight of the ink.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Application/Control Number:
10/771,464
Art Unit: 2853

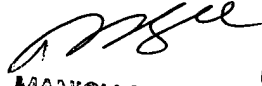
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Laura E. Martin

 1/22/08
MANISH S. SHAH
PRIMARY EXAMINER